

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

In re:

Case No. 22-31447

Judge Guy R. Humphrey

Lawrence Lee Adams

Chapter 13

Debtor(s)

SPECIAL COUNSEL'S APPLICATION FOR
ATTORNEY FEES

Brian D. Flick, Special Counsel for Debtor Lawrence Lee Adams hereby makes this application of allowance of attorney fees to be paid to him by the Trustee pursuant to this Court's March 30, 2023 *Order Granting Application of Debtor to Retain Attorney, Brian Daniel Flick, Esq.* (Doc. 52) and LBR 2016-1(b). The additional allowance is for legal services rendered for the Debtor as follows:

Description

- A. Legal services performed and date: Services related to the Amended Objection to Proof of Claim of Creditor Cincinnati Capital Holdings, LLC and all related briefing. *See, e.g. generally*, Doc. 56, Doc. 57, Doc. 64, Doc. 65, Doc. 67, Doc. 68, Doc. 71, Doc. 72, Doc. 75, Doc. 83, and Doc. 84.
- B. Result obtained by the legal service: Settlement reached via Joint Motion to Approve Settlement Pursuant to Fed. Bankr. R. 9019. *See* Doc. 83 and Doc. 84.
- C. Actual time spent (itemize in tenths of hours):
 - Attorney time: Brian D. Flick– BDF 19.6 hours @ \$400.00/hr = \$7,840.00
 - Paralegal time: Amy Collins– AC 1.4 hours @ \$200.00/hr = \$280.00
- D. No previous application has been made for the services listed herein;
- E. Amount of fee requested is \$6,000.00 and amount received to date by the attorney is \$0.00
- F. ITEMIZATION¹

1/27/23	Lawrence Adams new BK Lit/RESPA - conf call with Greg Wetherall to discuss case and next steps; Internal strategy call with Andy Engel	.80 (BDF)
1/30/23	Larry Adams new BK Lit - email with Andy Engel	.10 (BDF)
02/02/23	Lawrence Adams new Lit - email with Greg Wetherall on retainer	.10 (BDF)
02/24/23	Emails with Greg Wetherall ; revise Declaration and email	.30 (BDF)

¹ This itemization is supported by Exhibit 1, Verification of Brian D. Flick, attached to this Application.

03/02/23	Review docs from Greg Wetherall on app to employ, organize file	.20 (BDF)
03/05/23	Email with Greg Wetherall on damages	.10 (BDF)
03/29/23	Email with Greg Wetherall on case status	.10 (BDF)
04/10/23	Email with Greg Wetherall to r/s appt	.10 (BDF)
4/13/23	Conf call with Debtor and Greg Wetherall	.50 (BDF)
04/24/23	Review all notes; prepare and file amended objection to claim	.80 (BDF)
5/5/23	Docket Review	.20 (AC)
6/22/23	Review order from court on status	.10 (BDF)
7/18/23	Review file; prep joint status report and email to OC	.30 (BDF)
7/20/23	Email with Opposing Counsel to schedule call	.10 (BDF)
7/21/23	Conf call with Opposing Counsel on joint report; factual issues	.40 (BDF)
7/24/23	Email with Opposing Counsel on revisions to 26(f)	.10 (BDF)
7/24/23	Revise and file objection to claim	.20 (BDF)
8/22/23	Email with Opposing Counsel on proposed order	.10 (BDF)
8/22/23	Email with chambers	.10 (BDF)
8/23/23	Review briefing schedule, update tasks	.20 (BDF)
10/10/23	Review Reply in Support of Opposition to Objection to Claim	.20 (BDF)
10/25/23	Finish research, prep and file Memo in Support of Claim Objection; Email to Greg Wetherall	3.50 (BDF)
1/5/24	Review decision on objection to claim	.10 (BDF)
1/10/24	Review Order for Status Report and update tasks	.10 (BDF)
2/7/24	Review all notes from Court's orders and prep initial status report; email to Opposing Counsel	.30 (BDF)
2/7/24	Listen to vm from Opposing Counsel re: settlement; email to Greg Wetherall	.10 (BDF)
2/9/24	Email with Opposing Counsel on status of status report	.10 (BDF)
2/15/24	Email to chambers in status report	.10 (BDF)
2/20/24	Email to Greg Wetherall	.10 (BDF)
2/20/24	Email with Debtor to schedule call	.10 (BDF)
2/21/24	Call with Debtor	.10 (BDF)

2/23/24	Review all notes and detailed email to opposing counsel with demand	.30 (BDF)
3/7/24	Email to Opposing Counsel on status	.10 (BDF)
3/13/24	Email with Opposing Counsel	.10 (BDF)
3/27/24	Email to Opposing Counsel	.10 (BDF)
4/1/24	Email with chambers	.10 (BDF)
4/2/24	Left voicemail for Opposing Counsel	.10 (BDF)
4/11/24	Left voicemail for Opposing Counsel	.10 (BDF)
4/16/24	Email with Opposing Counsel on status report and setting conference call	.10 (BDF)
4/17/24	Email with Opposing Counsel on status report and setting conference call	.30 (BDF)
4/17/24	Emails with Trustee and Opposing Counsel re: claim disbursements	.20 (BDF)
4/19/24	Conference call with Debtor to discuss offer; email to Opposing Counsel	.30 (BDF)
5/10/24	Email re: Telephonic instructions	.10 (BDF)
5/24/24	Email to Opposing Counsel re: status of report	.10 (BDF)
5/29/24	Conference call with Opposing Counsel to discuss potential resolution and case schedule	.20 (BDF)
5/29/24	Conference call with Debtor	.10 (BDF)
5/29/24	Attend Case Management, discussion of case status and next steps for evidentiary hearing	.30 (BDF)
5/29/24	Conference Call with Opposing Counsel on proposed terms and email to client	.10 (BDF)
5/29/24	Emails with Debtor on terms and potential stipulations	.20 (BDF)
5/31/24	Email with Opposing Counsel on stipulations	.10 (BDF)
6/18/24	Email with Opposing Counsel on mortgage terms	.10 (BDF)
6/25/24	Email with Opposing Counsel on mortgage terms	.10 (BDF)
6/25/24	Email with Opposing Counsel on mortgage terms	.10 (BDF)
7/2/24	Email with Opposing Counsel and email to Debtor on terms	.10 (BDF)
7/8/24	Conference call with Debtor on deed escrow issue	.20 (BDF)
7/8/24	Email with Opposing Counsel on deadlines and terms	.10 (BDF)
7/12/24	Re-review hearing order, set all tasks	.20 (BDF)

7/26/24	docket review	.20 (AC)
8/2/24	Email with Opposing Counsel on deadlines and terms	.10 (BDF)
8/16/24	docket review	.20 (AC)
8/22/24	Conference with Opposing Counsel on material terms in agreement	.30 (BDF)
8/22/24	Conf call with Opposing Counsel on latest negotiations, potential term sheet. Email to chambers	.20 (BDF)
8/23/24	Review terms of settlement	.30 (BDF)
8/23/24	Email with Opposing Counsel to confirm tentative settlement; email to chambers	.20 (BDF)
8/23/24	Email with chambers re: settle hearing	.10 (BDF)
9/6/24	docket review	.20 (AC)
9/18/24	Begin prep of 9019 Motion	.40 (BDF)
9/19/24	Further revisions to 9019 Motion and email to Opposing Counsel	.50 (BDF)
9/29/24	Review email from Opposing Counsel on edits to 9019 and proposed mod; email back to Opposing Counsel	.30 (BDF)
10/4/24	Email with Debtor re: contact information for potential closing	.20 (BDF)
10/17/24	Review Loan Mod terms; detailed email to Larry and Greg	.30 (BDF)
10/17/24	Conf call with larry on mortgage modification and settlement agreement	.60 (BDF)
10/18/24	Docket review	.20 (AC)
10/21/24	Email from Debtor on modification terms; message to Opposing Counsel	.10 (BDF)
10/22/24	Emails with Opposing Counsel, revise 9019	.30 (BDF)
11/8/24	Docket review	.20 (AC)
11/13/24	Prep Order granting 9019 and email to Opposing Counsel	.30 (BDF)
11/13/24	Email with Opposing Counsel on loan closing; email to Debtor	.10 (BDF)
11/18/24	Email with Debtor on deed/note execution	.10 (BDF)
11/27/24	Email with Opposing Counsel re: closing	.10 (BDF)
11/29/24	Email with Debtor on setting up time to sign	.10 (BDF)
12/2/24	Docket review	.20 (AC)
12/2/24	Email with Debtor on signing	.10 (BDF)

12/3/24	Email with Debtor on document execution appt	.10 (BDF)
12/9/24	Email with Opposing Counsel re: status of deed/note/mod signing	.10 (BDF)
12/12/24	Email to Opposing counsel on 9019 Order revisions	.10 (BDF)
12/12/24	Revise 9019 order and upload	.10 (BDF)
12/13/24	Emails with Court on order	.10 (BDF)
12/13/24	Email with Debtor to confirm documents executed	.10 (BDF)
12/23/24	Docket review	.20 (AC)
12/23/24	Email from Greg Wetherall; re-review Note, Mortgage and mod agreement, detailed email on items for Motion to Modify	.30 (BDF)
12/23/24	Email with Greg Wetherall re: Mortgage Terms	.10 (BDF)
1/13/24	Docket Review	.20 (BDF)
1/21/24	Email with Opposing Counsel on status of plan	.10 (BDF)

WHEREFORE Special Counsel respectfully requests attorney fees in the amount of \$6,000.00 and for all other relief that this Court may deem just and proper/

Respectfully submitted,

/s/ Brian D. Flick

Brian D. Flick (0081605)

DannLaw

15000 Madison Avenue

Lakewood, OH 44107

216-373-0539

216-373-0536 – fax

notices@dannlaw.com

Special Counsel for Debtor

NOTICE

Brian D. Flick has filed an Application for Attorney Fees As Special Counsel for the Debtor.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy. If you do not have one, you may wish to consult one.

If you do not want the court to approve the Application For Attorney Fees, or if you want the court to consider your views on the Application For Attorney Fees, then within twenty-one (21) days from the date of service as set forth in the certificate of service below you or your attorney must file with the court a written request for a hearing {or, if the court requires a written response, an answer, explaining your position} at:

Clerk of the US Bankruptcy Court
120 W Third St.
Dayton, Ohio 45402

You must also mail a copy to:

Brian D. Flick
DannLaw
15000 Madison Avenue
Lakewood, OH 44107

John G. Jansing, Chapter 13 Trustee
409 E. Monument Ave.
Suite 410
Dayton, OH 45402

Office of the US Trustee
170 North High Street
Suite 200
Columbus, OH 43215

Gregory M. Wetherall
4030 Mt. Carmel-Tobasco Road, Suite 122
Cincinnati, OH 45245

If you or your attorney do not take these steps, the Court may decide that you do not oppose the terms of the Motion and may enter an Order Extending the Automatic Stay without further hearing or notice.

Date: January 24, 2025

/s/ Brian D. Flick
Brian D. Flick (0081605)
DannLaw
15000 Madison Avenue
Lakewood, OH 44103
216-373-0539
216-373-0536 – fax
notices@dannlaw.com
Special Counsel for Debtor

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Application for Compensation was served **electronically** on the date of filing through the court's ECF System on all ECF participants registered in this case at the email address registered with the court

and by first class **U.S. Mail** on January 24, 2025 addressed to:

Lawrence Lee Adams
3908 Everett Drive
Loveland, OH 45140

All creditors on the attached matrix

/s/ Brian D. Flick
Brian D. Flick (0081605)
DannLaw
Special Counsel for Debtor